

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.363 of 1996

DATE-OF-ORDER: 10.6.96

BETWEEN:

NUTALAPATI VAJRAMMA

.. Applicant

and

1. The Divisional Railway Manager,
South Central Railway,
Vijayawada,

2. The Divisional Personnel Officer,
O/o Divisional Manager,
South Central Railway,
Vijayawada,

3. The Chief Personnel Officer,
South Central Railway,
Rail Nilayam, Secunderabad.

.. Respondents.

COUNSEL FOR THE APPLICANTS: Smt. K.Malleswari

COUNSEL FOR THE RESPONDENTS: SHRI V.RAJESWARA RAO

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMINISTRATIVE)

JUDGEMENT

Heard Shri V.Rajeswara Rao, learned standing
counsel for the respondents.

2. This OA is filed praying for a direction to the
respondents to pay the applicant the upgraded arrears as
per the reference No.B/P/671/VII/i/HB dated 25.7.75 with
retrospective effect from 3.6.68 with interest and for
consequential direction to the respondents to fix up the
pensionary benefits accrued thereon.

3. At the time of admitting the OA, an order dated
26.3.96 was passed by which the respondents were permitted
to dispose of the representation of the applicant dated



10.4.95 on merits and convey that decision to the applicant and also forward a copy of the same to the counsel for the respondents for information of the Tribunal even though the OA is pending in this Tribunal. On 4.6.96, when this case came up for hearing, none for the applicant was present. Shri V.Rajeswara Rao, learned standing counsel for the respondents submitted that in pursuance of the direction given by this Tribunal on 26.3.96, a reply bearing No.AEN/PB/146/Court Attachment, dated 31.5.1996 has been given to the applicant. In the reply it is stated that the upgradation arrears amounting to Rs.4,134=40 has been released to her. The learned standing counsel further submitted that with the payment of the arrears, this OA does not survive and hence it has become infructuous. By the order dated 4.6.96 the learned standing counsel was directed to inform the applicant's counsel in regard to listing of this case on 6.6.96. The learned standing counsel informed that the direction was complied with. The letter addressed to the applicant dated 31.5.96 and the letter addressed to the learned standing counsel for the respondents by R-1 is taken on record. As the learned counsel for the applicant was not present that day, the OA could not be disposed of finally even though the upgradation arrears have been paid. Even though this case was to be listed on 6.6.96 by the order dated 4.6.96, it is listed only today. Even today there was no representation of the applicant nor his counsel was present today. In view of the above, it is presumed that the applicant has got the arrears and hence she has no further grievance.



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..4..

D.A.NO.363/96

Copy to:

1. The Divisional Railway Manager,
South Central Railway,
Vijayawada.
2. The Divisional Personnel Officer,
O/O Divisional Manager,
South Central Railway,
Vijayawada.
3. The Chief Personnel Officer,
South Central Railway,
Railnilayam, Secunderabad.
4. One copy to Mr.K.Malleswari, Advocate,
CAT, Hyderabad.
5. One copy to Mr.V.Bajeswar Rao, Addl.CGSC,
CAT, Hyderabad.
6. One copy to MxxLibrary, CAT, Hyderabad.
7. One copy for duplicate.

YLKR

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COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

DATED: 10.6.96

ORDER/JUDGEMENT

M.A.NO/R.A/C.A.No.

IN

B.A.NO. 363/96

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDERS AS TO COSTS

* * *

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